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In re Application of
KAWASAKI et al.

Application No.: 10/559,532

Filed: 09 September 2008

Attorney Docket No.: 03500.018188

For: SHEET MATERIAL

IDENTIFYING APPARATUS, SHEET
MATERIAL TREATING APPARATUS
AND SHEET MATERIAL
IDENTIFYING METHOD

: DECISION ON REQUEST TO
: PARTICIPATE IN THE PATENT
: PROSECUTION HIGHWAY
: PROGRAM AND PETITION
: TO MAKE SPECIAL UNDER
: 37 CFR 1.102(d)

This is a decision on the request to participate in the Patent Prosecution Highway (PPH) program and the petition under 37 CFR 1.102(d), filed 22 April 2010, to make the above-identified application special.

The request and petition are **DISMISSED**.

A grantable request to participate in the PPH program and petition to make special require:

1. The U.S. application must validly claim priority under 35 U.S.C. 119(a) to one or more applications filed in the JPO, note where the JPO application with similar claims is not the same application from which the U.S. application claims priority that the applicant must identify the relationship between the JPO application with similar claims and the JPO priority application;
2. Applicant must submit a copy of:
 - a. The allowable/patentable claim(s) from the JPO application(s) or if a copy of the allowable/patentable claims is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
 - b. An English translation of the allowable/patentable claim(s) and
 - c. A statement that the English translation is accurate;
3. Applicant must

- a. Ensure all the claims in the U.S. application must sufficiently correspond or be amended to sufficiently correspond to the allowable/patentable claim(s) in the JPO application(s) and
 - b. Submit a claims correspondence table in English;
- 4. Examination of the U.S. application has not begun;
- 5. Applicant must submit:
 - a. Documentation of prior office action:
 - i. a copy of the office action(s) just prior to the "Decision to Grant a Patent" from each of the JPO application(s) containing the allowable/patentable claim(s) or
 - ii. if the allowable/patentable claims(s) are from a "Notification of Reasons for Refusal" then the Notification of Reasons for Refusal or
 - iii. if the JPO application is a first action allowance then no office action from the JPO is necessary should be indicated on the request/petition form;
 Further, if a copy of the documents from a or b above is available via the Dossier Access System (DAS) applicant may request the USPTO obtain a copy from the DAS, however if the USPTO is unable to obtain a copy from the DAS the applicant will be required to submit a copy;
 - b. An English language translation of the JPO Office action from (5)(a)(i)-(ii) above
 - c. A statement that the English translation is accurate;
- 6. Applicant must submit:
 - a. An IDS listing the documents cited by the JPO examiner in the JPO office action (unless already submitted in this application)
 - b. Copies of the documents except U.S. patents or U.S. patent application publications (unless already submitted in this application);
- 7. The required petition fee under 37 CFR 1.17(h).

Conditions (1), (2), and (4) - (7) above are considered to have been met. However, the request to participate in the PPH pilot program and petition fails meet condition (3).

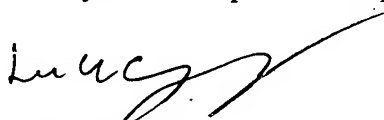
Regarding the requirement of condition (3), applicant has failed to ensure that all the claims in the U.S. application sufficiently correspond to the allowable/patentable claims in the JPO application. Claim 1 of the JPO application requires an identifying means which is not recited in claim 1 of the US application (the indentifying means is recited in claim 7 of the US application). Additionally, claim 10 of the JPO application recites detecting the external force "after the external force is applied" which is not recited in claim 11 of the US application.

Applicant is given **ONE** opportunity within a time period of **ONE MONTH or THIRTY DAYS**, whichever is longer, from the mailing date of this decision to correct the deficiencies. **NO EXTENSION OF TIME UNDER 37 CFR 1.136 IS PERMITTED.** If the deficiencies are not corrected with the time period given, the application will await action in its regular turn.

Response must be filed via the Electronic Filing System (EFS) with the Document Code PPH.PET.652. Any preliminary amendments and IDS submitted with the PPH documents must be separately indexed as a preliminary amendment and IDS, respectively.

Telephone inquiries concerning this decision should be directed to Lee W. Young at 571-272-4549.

All other inquiries concerning the examination or status of the application is accessible in the PAIR system at <http://www.uspto.gov/ebc/index.html>.

A handwritten signature in black ink, appearing to read 'LW Young', with a long, sweeping horizontal stroke extending to the right.

Lee W. Young
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